IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)	**MAIL AF**
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Dirk John et al.	)	Group Art Unit: 2121
	)	
Application No.: 10/581,208	)	Examiner: Douglas S. Lee
	)	
Filed: May 23, 2007	)	Confirmation No.: 3193
	)	
For: METHOD FOR THE SUPPLYING	)	
AND INSTALLATION OF DEVICE-	)	
SPECIFIC FUNCTIONALITIES	)	
AND/OR DATA FOR THE FIELD	)	
DEVICES OF A DISTRIBUTED	)	
SYSTEM	)	

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is a full and timely response to the final Office Action

dated July 21, 2010. Claims 1-36 remain pending, where claims 1-3, 8, and 17-19

are withdrawn from consideration and claims 1-3, 8, and 17-19 were previously

canceled.

In numbered paragraph 1, on page 2 of the Office Action, claims 4-7, 9-16,

and 20-36 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by

Glanzer et al (U.S. Patent No. 6,424,872). Applicants respectfully traverse this

rejection.

In a previous response filed on May 3, 2010, Applicants argued that *Glanzer*

did not anticipate Applicants' claims because of its failure to disclose or suggest at

least "a controller that communicates with the memory to acquire and install the

device specific data, wherein the controller includes means for interacting with each

field device based on the installed device specific data" as recited in independent

Buchanan Ingersoll ⅍ Rooney PC
Attorneys & Government Relations Professionals

claim 34, and "producing, at the controller, device-specific components for the arrangement of field devices based on the installed device specific data" as recited in independent claim 35.

Each of claims 34 and 35, encompass an embodiment in which a controller acquires and installs data specific to each device and the functional units that interact with the devices. Based on the install the controller includes means for interacting with each field device in the arrangement. In other words, the controller can perform an automatic install of device data, the installed device data then being executed so that the controller can interact with each device in an arrangement of field devices.

One of ordinary skill would understand that through the install, the controller acquires data specific to each device and functional units that interact with the device. It should also be understood that once the data and functional units are installed, the controller executes the data and functional units to interact with each respective field device in the arrangement.

In contrast, *Glanzer* discloses a block control system that includes plural field devices that incorporate a physical layer, communication stack, and user layer, with the field devices being connected by a bus. The communications stack is described as facilitating data exchanges and message exchanges. Fig. 3 illustrates various components of a field device that control data exchanges for that device.

Glanzer discusses the use of a data link layer that controls the transmission of messages onto the bus from a link active scheduler, link master device, or basic device based on the instructions of a network controller or the link active scheduler. Glanzer, col. 5, lines 58-63. The link active scheduler controls the data link layer

according to a network schedule stored in memory. The network schedule is defined as a list of transit times for data buffers within the system. *See* Id., col. 5, lines 64-67. The link active scheduler maintains a live list, which identifies all field devices operating on the system. When a field device is added or removed from the system the link active scheduler updates and broadcasts the live list to all field devices. The link active scheduler schedules the communications from other field devices operating in the system and coordinates the timing of each communication by issuing compel data messages at scheduled times.

In the rejection, the Examiner appears to assert that Applicants' claimed controller reads on the link active scheduler of *Glanzer*. The controller, as defined in the claims, installs device-specific data, so that when the installed data is executed, the controller can interact with each field device. As noted above, the link active scheduler of *Glanzer* maintains a live list, and schedules communications from field devices. *Glanzer*, however, does not disclose or suggest the install of device specific data and producing device-specific components based on the installed device-specific data.

More specifically, *Glanzer* does not teach or otherwise contemplate that each field device is associated with a device-specific component and the device-specific data is correlated to the device-specific component. Rather, *Glanzer* discloses that the link active scheduler schedules communication of the field devices by issuing compel messages at specified times. There are no device-specific components that are produced and used to communicate with a field device. One of ordinary skill would not reasonably interpret a "compel message" as a component of the link active scheduler. Because the schedule is neither <u>installed</u> nor <u>executed</u> to produce

device-specific components for interacting with the field devices, Applicants submit that the link active scheduler is not analogous to Applicants' claimed controller as alleged. *Glanzer,* therefore, does not anticipate independent claims 34 and 35.

Claims 4 and 20 depend from claims 34 and 35, respectively, and recite that at least one of the device-specific functionalities and information that is stored in the functional units is installed by means of an automatically running installation process.

The Examiner alleges that this claim feature is disclosed by *Glanzer* at column 5, line 47 through column 6, line 67. *See* Office Action, pg. 3. This citation of *Glanzer* describes the functions of the link active scheduler. As noted above, nothing in *Glanzer* discloses or suggests that the link active scheduler, or any feature thereof, installs device-specific functionalities or device-specific data as does Applicants' claimed controller. For these reasons, claims 4 and 20 are distinguishable over *Glanzer* such that withdrawal of this rejection is warranted.

Claims 9 and 25 depend from claims 34 and 35, respectively, and recite at least one of the device-specific components, at least one configuration tool, and at least one network component is installed selectively. The Examiner alleges that this feature is disclosed in *Glanzer.* However, as Applicants note above, the link active scheduler described by *Glanzer* does not have any installation capabilities as recited in the claims. While *Glanzer* does disclose the execution of programs and algorithms by a processor, these features are associated with a device, such as the field device 105 or 110. *See* Glanzer, col. 6, lines 54-67. Thus, claims 9 and 29 are not anticipated by *Glanzer* and withdrawal of the rejection of these claims is deemed appropriate.

Claim 33 depends from claim 35 and recites installing, in the controller, the device-specific data based on an interaction between the at least one device specific component, at least two functional units, and the network component; and checking, at the controller, the device-specific functionalities and information for the device-specific components for completeness. As established through Applicants' above remarks, *Glanzer* does not disclose or suggest that the link active scheduler, which the Examiner alleges is analogous to Applicants claimed controller, is capable of installing device specific data and checking device-specific functionalities as recited in claim 33. Nor does *Glanzer* describe any other device or component that can be reasonably interpreted to perform these functions. Accordingly, withdrawal of the rejection to claim 33 is respectfully requested.

In summary, *Glanzer* fails to disclose or suggest every feature recited in Applicants' claims such that the same is rendered anticipated. Accordingly, withdrawal of the rejection of claims 4-7, 9-16, and 20-36 under 35 U.S.C. §102 is requested.